

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 992 of the Regular Session

1 State of Arkansas

As Engrossed: H3/9/07 S3/26/07

2 86th General Assembly

A Bill

3 Regular Session, 2007

HOUSE BILL 2336

4
5 By: Representative D. Hutchinson

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8 **For An Act To Be Entitled**

9 AN ACT TO PROTECT PUBLIC SCHOOL CHILDREN FROM
10 REGISTERED SEX OFFENDERS; AND FOR OTHER PURPOSES.

11
12 **Subtitle**

13 AN ACT TO PROTECT PUBLIC SCHOOL CHILDREN
14 FROM REGISTERED SEX OFFENDERS.

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18
19 *SECTION 1. Arkansas Code Title 5, Chapter 14, Subchapter 1 is amended*
20 *to add an additional section to read as follows:*

21 *5-14-131. Registered offender prohibited from entering upon school*
22 *campus – Exception.*

23 *(a) As used in this section:*

24 *(1) "Campus" means the real property, a building, or any other*
25 *improvement in this state owned, leased, rented, or controlled by or for the*
26 *operation of a public school; and*

27 *(2) "Public school" means any school in this state that is:*

28 *(A) A public school operated by a public school district;*

29 *(B) A charter school established under the Public School*
30 *Funding Act of 2003, § 6-20-2301 et seq.;*

31 *(C) A state-funded prekindergarten program operated by a*
32 *public school or an education service cooperative;*

33 *(D) The Arkansas School for the Blind;*

34 *(E) The Arkansas School for the Deaf;*

35 *(F) The Arkansas School for Mathematics, Sciences, and the*



1 Arts;

2 (G) An educational facility of the Division of Youth
3 Services of the Department of Health and Human Services or contracting with
4 the Division of Youth Services; or

5 (H) An educational facility of the Division of
6 Developmental Disabilities Services of the Department of Health and Human
7 Services.

8 (b) It is unlawful for a sex offender who is required to register
9 under the Sex Offender Registration Act of 1997, § 12-12-901 et seq., and who
10 has been assessed as a Level 3 or Level 4 offender to knowingly enter upon
11 the campus of a public school.

12 (c) It is not a violation of this section if the sex offender:

13 (1) Is a minor and is a student;

14 (2) Enters upon the campus for the purpose of attending a
15 school-sponsored event for which an admission fee is charged or tickets are
16 sold or distributed, a graduation ceremony, or a baccalaureate ceremony;

17 (3) Enters upon the campus on a day that is not designated a
18 student contact day by the school district's calendar or on day in which no
19 school-sponsored event is taking place upon the campus; or

20 (4) Is the parent or guardian of a student enrolled in a public
21 school district and enters upon the campus where the student is enrolled for
22 the purpose of:

23 (A) Delivering to the student medicine, food, or personal
24 items, provided that the items are delivered directly to the school office;
25 or

26 (B) Attending a scheduled parent-teacher conference,
27 provided the sex offender is escorted to and from the conference by a
28 designated school official or employee.

29 (d)(1) A sex offender who is the parent or guardian of a child
30 enrolled in a public school district and wishes to enter upon the campus in
31 which the student is enrolled for any other purpose must give reasonable
32 notice to the school principal or his or her designee.

33 (2)(A) The school principal or his or her designee may allow the
34 parent sex offender to enter upon the campus as long as there is a designated
35 school official or employee available to escort and supervise the sex
36 offender while they remain on campus.

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(B) If a designated school official or employee is not available at the time the parent sex offender wishes to enter upon the campus, the parent sex offender shall not enter upon the campus until he or she is notified that a designated school official or employee is available.

(e) Upon conviction, any sex offender who violates this section is guilty of a Class D felony.

/s/ D. Hutchinson

APPROVED: 4/3/2007